

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ITV DIRECT, INC.,)	Civil Action No. 04-CV-10421-JLT
)	
Plaintiff,)	
)	
v.)	
)	
HEALTHY SOLUTIONS, L.L.C., et al.,)	
)	
Defendants.)	
CAPPSEALS, INC.,)	
)	
Plaintiff-in-Intervention,)	
)	
v.)	
)	
HEALTHY SOLUTIONS, L.L.C., d/b/a)	
DIRECT BUSINESS CONCEPTS; ITV)	
DIRECT, INC.; and DIRECT)	
FULFILLMENT, LLC,)	
)	
Intervenor-Defendants.)	

**PLAINTIFF-IN-INTERVENTION CAPPSEALS INC.'S MEMORANDUM OF
LAW IN SUPPORT OF ITS MOTION TO COMPEL DEFENDANTS
ITV DIRECT, INC. AND DIRECT FULFILLMENT LLC**

EXHIBIT C



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July 7, 2004

BY FACSIMILE AND MAIL

Kristin Cataldo, Esq.
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**Re: ITV Direct, Inc. v. Healthy Solutions, LLC, et al.
U.S.D.C. C.A. No. 04-cv-10421-JLT**

Dear Ms. Cataldo:

We received your facsimile dated July 7, 2004, and we respectfully disagree with your analysis regarding your entitlement to information that our clients will be providing to the FTC pursuant to a preliminary injunction order entered in an unrelated action, to which Cappseals, Inc. is not a party.

The information you are requesting is neither called for by Judge Tauro's Discovery Order, nor relevant to our claims and defenses in this case. In addition, the documents you are requesting have not yet been created, and pertain to asset discovery that is entirely inappropriate at this stage in the litigation.

Sincerely yours,

SEYFARTH SHAW LLP

A handwritten signature in cursive script, appearing to read "Susan Gelwick".

Susan W. Gelwick

cc: Dustin F. Hecker, Esq.
Becky V. Christensen, Esq.

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